

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Larry D. Ward, et al.

Docket No.

19746

Application No.

10/575,928

Filing Date

April 14, 2006

Examiner

Unassigned

Customer No.

23389

Group Art Unit

Unassigned

Invention: **POXVIRUS VECTOR ENCODING RETROVIRUS (EG HIV) AND CYTOKINE**

MAR 22 2007



I hereby certify that the following correspondence:

Submission of Declaration and Power of Attorney And Preliminary Amendment (Response to Notification of Missing Requirements)*(Identify type of correspondence)*

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**TRANSMITTAL LETTER
(General - Patent Pending)**

Docket No.
19746

In Re Application Of: **Larry D. Ward, et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/575,928	April 14, 2006	Unassigned	23389	Unassigned	7073

Title: **POXVIRUS VECTOR ENCODING RETROVIRUS (EG HIV) AND CYTOKINE**

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

**Submission of Declaration and Power of Attorney and Preliminary Amendment;
Copy of Notice; Substitute paper copy of Sequence Listing; Initial Computer Readable Form of Sequence Listing on
Disk; Statement Under 37 C.F.R. 1.821(f) and (g); and
Certificate of Express Mail (in duplicate).**

in the above identified application.

- ☒ No additional fee is required.
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- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **19-1013/SSMP**
as described below.
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included on this form. Provide credit card information and authorization on PTO-2038.**



Signature

Dated: **March 22, 2007**

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MAR 22 2007

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U.S. APPLICATION NUMBER

10/575,928

FIRST NAMED APPLICANT

Larry D. Ward

ATTY. DOCKET NO.

19746

INTERNATIONAL APPLICATION NO.

PCT/AU04/01423

I.A. FILING DATE

10/15/2004

PRIORITY DATE

10/15/2003

CONFIRMATION NO. 7073

371 FORMALITIES LETTER



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23389

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Date Mailed: 01/22/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/14/2006
- Copy of the International Search Report filed on 04/14/2006
- Copy of IPE Report filed on 04/14/2006
- Copy of Annexes to the IPER filed on 04/14/2006
- Information Disclosure Statements filed on 10/26/2006
- U.S. Basic National Fees filed on 04/14/2006
- Priority Documents filed on 04/14/2006
- Specification filed on 04/14/2006
- Claims filed on 04/14/2006
- Abstracts filed on 04/14/2006
- Drawings filed on 04/14/2006
- Paper nucleotide sequence listings filed on 04/14/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer

readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/575,928	PCT/AU04/01423	19746

FORM PCT/DO/EO/905 (371 Formalities Notice)